

save consumers of imports and exporters trading to Japan, millions of dollars, and the FMC deserves praise for hanging tough in what was undeniably a tense situation.

While we were not able to address all concerns about our new ocean shipping deregulation proposal I would like to elaborate on the progress that has been made toward ultimate Senate passage of legislation. I would also like to thank Senators HUTCHISON, LOTT and GORTON for their efforts on this bill. Additionally, the following staffers spent many hours meeting with the affected members of the shipping public and listening to their concerns about our proposal and I would like to personally thank Jim Sartucci and Carl Bentzel of the Commerce Committee staff, Carl Biersack of Senator LOTT's staff, Jeanne Bumpus of Senator GORTON's staff, Amy Henderson of Senator HUTCHISON's staff as well as my own staffers, Mark Ashby and Paul DeVeau.

S. 414, the Ocean Shipping Reform Act, and the proposed amendment to the committee reported bill, attempt to balance the competing interests of those affected by international ocean shipping practices. One of the major obstacles to change in this area was the need to provide additional service contract flexibility and confidentiality, while balancing the need to continue oversight of contract practices to ensure against anti-competitive practices immunized from our antitrust laws. I think the contracting proposal embodied in S. 414 adequately balances these competing considerations. The bill transfers the requirements of providing service and price information to the private sector, and will allow the private sector to perform functions that had heretofore been provided by the Government. The bill broadens the authority of the FMC to provide statutory exemptions, and reforms the licensing and bonding requirements for ocean shipping intermediaries.

Importantly, the bill does not change the structure of the Federal Maritime Commission. The FMC is a small agency with a annual budget of about \$14 million. When you subtract penalties and fines collected over the past 7 years, the annual cost of agency operations is less than \$7 million. All told, the agency is a bargain to the U.S. taxpayer as it oversees the shipping practices of over \$500 billion in maritime trade. The U.S. public accrues an added benefit when the FMC is able to break down trade barriers that cost importers and exporters millions in additional costs, as recently occurred when the FMC challenged restrictive Japanese port practices.

The FMC is an independent regulatory agency that is not accountable to the direction of the administration. Independence allows the FMC to maintain a more aggressive and objective posture when it comes to the consideration of eliminating foreign trade barriers.

S. 414 also provides some additional protection to longshoremen who work

at U.S. ports. The concerns expressed by U.S. ports and port-related labor interests revolved around reductions in the transparency afforded to shipping contracts, and the potential abuse that could occur as a result of carrier antitrust immune contract actions. In order to address the concerns of longshoremen who have contracts for longshore and stevedoring services, S. 414 sets up a mechanism to allow the longshoremen to request information relevant to the enforcement of collective bargaining agreements.

It is my feeling that we have before us a package of needed shipping reforms that will allow us to move ahead, and I look forward to passing this bill in the next session of Congress.

Mr. LOTT. I ask unanimous consent that the amendment be agreed to, the bill be considered read a third time and passed, as amended, the motion to reconsider be laid upon the table and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1636) was agreed to.

The bill (S. 927), as amended, was passed.

#### DOCUMENTATION OF THE VESSEL "PRINCE NOVA"

Mr. LOTT. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 1349 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

A bill (S. 1349) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Prince Nova*, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, and that any statements related thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1349) was passed, as follows:

S. 1349

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DOCUMENTATION OF THE VESSEL PRINCE NOVA.

(a) DOCUMENTATION AUTHORIZED.—Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (24 Stat. 81, chapter 421; 46 U.S.C. App. 289), and section 12106 of title 46, United States Code, the Secretary of

Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA (Canadian registration number 320804).

(b) EXPIRATION OF CERTIFICATE.—A certificate of documentation issued for the vessel under subsection (a) shall expire unless—

(1) the vessel undergoes conversion, reconstruction, repair, rebuilding, or retrofitting in a shipyard located in the United States;

(2) the cost of that conversion, reconstruction, repair, rebuilding, or retrofitting is not less than the greater of—

(A) 3 times the purchase value of the vessel before the conversion, reconstruction, repair, rebuilding, or retrofitting; or

(B) \$4,200,000; and

(3) not less than an average of \$1,000,000 is spent annually in a shipyard located in the United States for conversion, reconstruction, repair, rebuilding, or retrofitting of the vessel until the total amount of the cost required under paragraph (2) is spent.

Mr. LOTT. Mr. President, I yield the floor.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 10 minutes each.

#### NATIONAL VETERANS CEMETERY

Mr. NICKLES. Mr. President, I rise to express my profound disappointment in the action the President took on November 1 of this year when he used his veto pen to line-item veto \$900,000 from the VA-HUD appropriations bill. This money was set aside for the final planning and design of a new national veterans cemetery to be built at Fort Sill in Lawton, OK. While I am disappointed, I know my disappointment pales in comparison to the shock and frustration that the veterans of Oklahoma and their families have expressed to me and my staff regarding the President's action.

The shock and frustration expressed by veterans living in Oklahoma who have selflessly served our country and their families comes because the President's veto will further delay a national cemetery that has been in one stage of planning or another since 1987 when the Department of Veteran Affairs stated its intention to build a new national cemetery in Oklahoma.

I hope my colleagues will bear with me as I review what the veterans of Oklahoma and their families have gone through over the past 10 years.

Efforts to establish a national veterans cemetery in central Oklahoma date back to 1987. That year the Department of Veterans Affairs, in a report to Congress, identified central Oklahoma as an area in need of a national veterans cemetery because of Oklahoma's large veterans population and an official acknowledgment that the Fort Gibson cemetery in eastern Oklahoma would soon be full. The Oklahoma congressional delegation did not make this determination, Oklahoma's large veteran